

2/6/257

STATE OF SOUTH CAROLINA

(Caption of Case)

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 251 - E

(Please type or print)

Submitted by: Michael K. LavangaSC Bar Number: n/a (admitted Pro Hac Vice)Address: Brickfield Burchette Ritts & Stone, P.C.Telephone: 202-342-08001025 Thomas Jefferson St., NW 8th Fl WestFax: 202-342-0807Washington, DC 20007

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Email: mkl@bbrslaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☒ Other: Letter in support of stipulation

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

**BRICKFIELD BURCHETTE
RITTS & STONE, PC**

WASHINGTON, D.C.
AUSTIN, TEXAS

April 9, 2009

RECEIVED
2009 APR 10 11:09:59
S. CAROLINA
PUBLIC SERVICE
COMMISSION

Via Federal Express

Mr. Charles Terreni
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Suite 100
Columbia, SC 29210

Re: Application of Carolina Power and Light Company d/b/a Progress Energy Carolinas, Incorporated for the Establishment of Procedures for DSM/EE Programs; Docket No. 2008-251-E

Dear Mr. Terreni:

The above-captioned proceeding addresses an application filed by Progress Energy Carolinas, Inc. ("PEC") requesting Commission approval for procedures to encourage PEC investment in cost effective energy efficiency ("EE") and demand side management ("DSM") programs, and for establishment of a rider to recover the costs of such programs and an appropriate incentive for investing in such programs.

On January 23, 2009, PEC, the Office of Regulatory Staff ("ORS"), Nucor Steel-South Carolina ("Nucor"), and Wal-Mart Stores East, LP (collectively, the "Stipulating Parties") entered into a Stipulation that was intended to resolve all issues in this proceeding. Nucor participated in the Commission's hearing to review this Stipulation and the proposed DSM/EE Procedure and has carefully reviewed the evidence adduced by all parties to the proceeding.

Nucor understands that other Stipulating Parties plan to submit a comprehensive Proposed Order. As a result, Nucor does not plan to submit its own Proposed Order. However, we believe that it is important that Nucor unequivocally set forth its position in this letter.

As a Stipulating Party, Nucor fully supports the Stipulation and urges the Commission to approve the Stipulation in its entirety and without modification. The Stipulation is the result of negotiations among knowledgeable parties with diverse interests and positions. Nucor worked closely with all of the Stipulating Parties to develop appropriate revisions to PEC's proposed procedure, which are incorporated into

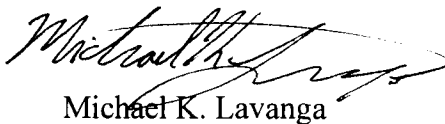
the Procedure agreed to by the Stipulating Parties. The Stipulation represents a compromise reached by the utility, ORS, and large commercial and industrial customer-intervenors. The Stipulation, therefore, has the support of a broad cross-section of affected stakeholders.

When considered in its entirety, the DSM/EE Procedure contained in the Stipulation is a reasonable approach for PEC in South Carolina for encouraging investment in DSM/EE programs and recovering the costs of such programs. Nucor has long recognized the benefits of EE and DSM and supports programs to encourage reasonable EE and DSM in South Carolina. For example, Nucor is PEC's largest industrial customer and largest curtailable load, and has been served on PEC curtailable and/or time-of-use rates for more than two decades. Similarly, Nucor utilizes recycled steel scrap for almost all of its raw material needs, creating substantial energy efficiency by recapturing the embodied energy in steel scrap. In short, the DSM/EE Procedure, if approved as proposed in the Stipulation, strikes the proper balance between encouraging the development of DSM/EE programs and fostering job retention, job growth, and economic development in South Carolina.

In conclusion, Nucor respectfully recommends that the Commission approve the Stipulation in its entirety and without modification.

Sincerely,

BRICKFIELD, BURCHETTE, RITTS &
STONE, PC



Michael K. Lavanga

Counsel for Nucor Steel – South Carolina

cc: Parties of Record

**BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2008-251-E

In Re:

**Application of Carolina Power & Light
Company d/b/a Progress Energy Carolinas,
Inc. for the Establishment of Procedures for
DSM/EE Programs**

Certificate of Service

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COMMISSION

This is to certify that a copy of the foregoing document was served upon the following parties at the addresses set forth by first-class mail on this the 9th day of April, 2009:

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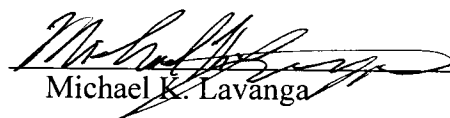
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